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PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 004524.P020

JC386 U.S. PTO  
09/894189

First Named Inventor Ronald D. Stieger

06/27/01

Title: OPTICAL COMMUNICATION SYSTEM WITH VARIABLE ERROR CORRECTION CODING

Express Mail Label No. EL429890180US

ADDRESS TO: **Assistant Commissioner for Patents**  
**Box Patent Application**  
**Washington, D. C. 20231**

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.  **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.  **Specification (Total Pages 31)**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  **Drawings(s) (35 USC 113) (Total Sheets 6)**
5.  **Oath or Declaration (Total Pages 5)**
  - a.  Newly Executed (Original or Copy)
  - b.  Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i.  **DELETIONS OF INVENTOR(S)** Signed statement attached deleting  
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)  
and 1.33(b).
    - c.  Unsigned.
6.  **Application Data Sheet. (37 CFR 1.76)**
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  **Assignment Papers (cover sheet & documents(s))**  
10. \_\_\_\_\_ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
\_\_\_\_\_  
X b. Power of Attorney  
11. \_\_\_\_\_ English Translation Document (if applicable)  
12. \_\_\_\_\_ a. Information Disclosure Statement (IDS)/PTO-1449  
\_\_\_\_\_  
b. Copies of IDS Citations  
13. \_\_\_\_\_ **Preliminary Amendment**  
14.  **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**  
15. \_\_\_\_\_ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16.  Other: separate sheet with title, express mail label, copy of postcard & attorney's signature

**17A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation \_\_\_\_\_ Divisional \_\_\_\_\_ Continuation-in-part (CIP)  
**Of Prior Application No.:** \_\_\_\_\_ Examiner \_\_\_\_\_ Group Art Unit \_\_\_\_\_

(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**18. Correspondence Address**

\_\_\_\_\_ Customer Number or Bar Code Label \_\_\_\_\_  
(Insert Customer No. or Attach Bar Code Label here)  
or

Correspondence Address Below

NAME Lawrence E. Lycke  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard  
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (425) 827-8600 FAX (425) 827-5644

Nam (PRINT/TYPE): Lawrence E. Lycke Registration No.: 38,540  
Signature: Lawrence E. Lycke Date: June 27, 2001

**FEE TRANSMITTAL FOR FY 2001****TOTAL AMOUNT OF PAYMENT (\$)** \$1,342.00**Complete if Known:**Application No. Not yet assignedFiling Date HerewithFirst Named Inventor Ronald D. Stieger

Group Art Unit \_\_\_\_\_

Examiner Name \_\_\_\_\_

Attorney Docket No. 004524.P020**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

2.  Payment Enclosed:

Check  
 Money Order  
 Other

**FEE CALCULATION****1. BASIC FILING FEE****Large Entity      Small Entity**

Fee      Fee      Fee      Fee

Code      (\$)      Code      (\$)

				<b>Fee Description</b>	<b>Fee Paid</b>
101	710	201	355	Utility application filing fee	<u>\$710.00</u>
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____

**SUBTOTAL (1) \$ 710.00****2. EXTRA CLAIM FEES**

		<b>Extra Claims</b>	<b>Fee from below</b>	<b>Fee Paid</b>
Total Claims	44	- 20** = 24	X \$18.00	= \$432.00
Independent Claims	5	- 3** = 2	X \$80.00	= \$160.00
Multiple Dependent				= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

**Large Entity      Small Entity**

Fee      Fee      Fee      Fee

Code      (\$)      Code      (\$)

				<b>Fee Description</b>
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$ 592.00**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	65
127	50	227	25
			<b>Surcharge - late filing fee or oath</b>
			<b>Surcharge - late provisional filing fee or cover sheet</b>
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
			<b>Non-English specification</b>
			<b>For filing a request for reexamination</b>
			<b>Requesting publication of SIR prior to Examiner action</b>
113	1,840*	113	1,840*
			<b>Requesting publication of SIR after Examiner action</b>
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
138	1,510	138	1,510
140	110	240	55
			<b>Petition to institute a public use proceeding</b>
			<b>Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee</b>
141	1,240	241	620
			<b>Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee</b>
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
123	50	123	50
126	180	126	180
581	40	581	40
			<b>Submission of Information Disclosure Stmt</b>
			<b>Recording each patent assignment per property (times number of properties)</b>
146	710	246	355
			<b>For filing a submission after final rejection (see 37 CFR 1.129(a))</b>
149	710	249	355
			<b>For each additional invention to be examined (see 37 CFR 1.129(b))</b>
179	710	279	355
169	900	169	900
			<b>Request for Continued Examination (RCE)</b>
			<b>Request for expedited examination of a design application</b>

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Lawrence E. Lycke

Signature: Lawrence E. Lycke Date: June 27, 2001

Reg. Number: 38,540 Telephone Number: (425) 827-8600

Our Reference: 004524.P020

Patent

OPTICAL COMMUNICATION SYSTEM WITH VARIABLE ERROR CORRECTION  
CODING

Inventors: Ronald D. Stieger

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Lawrence E. Lycke  
Reg. No. 38,540

"Express Mail" mailing label number: EL429890180US

Date of Deposit: June 27, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Jenny E. Miller

(Typed or printed name of person mailing paper or fee)

Jenny E. Miller 6-27-01  
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: Not yet assigned Filing/Issue Date: Herewith  
Client: Terabeam Corporation

Title: OPTICAL COMMUNICATION SYSTEM WITH VARIABLE ERROR CORRECTION  
CODING

BSTZ File No.: 004524.P020 Atty/Secty Initials: LEL/jem

Date Mailed: June 27, 2001 Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No.: <u>EL429890180US</u>               | <input checked="" type="checkbox"/> Check No. <u>1378</u> |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)  | <input type="checkbox"/> Month(s) Extension of Time                                      | <input type="checkbox"/> Amt: <u>\$1,342.00</u>           |
| <input checked="" type="checkbox"/> Application - Utility ( <u>31</u> pgs., with cover and abstract)                                 | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.)         | <input type="checkbox"/> Check No. _____                  |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)   | <input type="checkbox"/> Issue Fee Transmittal   | <input type="checkbox"/> Amt: _____                       |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)   | <input type="checkbox"/> Notice of Appeal  |   |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)  | <input type="checkbox"/> Petition for Extension of Time                                  |   |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)  | <input type="checkbox"/> Petition for _____  |   |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |   |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                                   |   |
| <input type="checkbox"/> Application - Provisional (____ pgs.)   | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                               |   |
| <input checked="" type="checkbox"/> Assignment and Cover Sheet   | <input type="checkbox"/> Reply Brief (____ pgs.)   |   |
| <input checked="" type="checkbox"/> Certificate of Mailing   | <input type="checkbox"/> Response to Notice of Missing Parts                             |   |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.)   | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business     |   |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)                                       | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate <b>2 PAGES EACH</b> |   |
| <input checked="" type="checkbox"/> Drawings: <u>16</u> # of sheets includes <u>7</u> figures  | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate <b>2 PAGES EACH</b>    |   |
| <br><input checked="" type="checkbox"/> Other: <u>Copy of return postcard with certificate of mailing all<br/>signed be attorney</u> |  |   |